

REMARKS

Claims 14 and 25 have been amended to depend upon a claim that is currently present in the application. Accordingly, it is respectfully submitted that the objection as set forth in paragraph 2 is no longer applicable as claim 25 now depends upon independent claim 23.

The Examiner in the Official Action rejected claims 12, 14, 18-23, 25, 30-34 under 35 U.S.C. 103 as being unpatentable over Gasper et al. (U.S. Pat. No. 5,919,730). The Examiner acknowledges that Gasper et al. reference is not directed to a stamp or sheet of stamps, however, makes the assertion that the document 10 of Gasper et al. could be considered a stamp or sheet of stamps. In this regard Applicant refers the Examiner to the fact that independent claim 12 and 23 are both directed to a limited edition stamp. Therefore, these claims are not directed to any type of product but to a particular type of product. In particular, a stamp wherein there is only provided a limited number of that particular type of stamp. Thus, the present invention is not directly simply to a document but a specific type of article. Clearly, there is no teaching or suggestion in Gasper et al. that the invention therein is directed to a stamp more less to a limited edition stamp as taught and claimed by applicant. The Gasper et al. is directed to providing micro-dots which are used to determine whether or not a document may be printed. As should be noted, the micro-dots are simply very small dots that are undetectable by casual observation under normal use of a document. That is not to say that it is not visible under normal viewing conditions but is simply not readily observable. The micro-dots provide a signal to the device that prevents copying. This is in contrast to the present invention wherein the indicia is provided for validating whether the stamp is a limited edition stamp. Additionally, the indicia of the present invention is no capable of being scanned for reproduction. In Gasper et al. there is no teaching or suggestion that it can't be copied except for the fact that it provides a signal to prevent the copying of the article. This is particularly important in copyrighted photographic images prepared by professional photographers. (See Col. 13, lines 23-34 of Gasper et al.) In the present invention, the indicia is used for validation that the particular stamp is indeed a limited edition stamp. Applicant's respectfully submit that there is nothing in Gasper et al. that would teach or suggest the invention is taught as

claimed by Applicant. First, as previously discussed, the present invention is directed to a limited edition stamp whereas Gasper et al. is merely directed to use of micro-dots to prevent printing. Secondly, the indicia that is provided by the present invention identifies that it is indeed a limited edition stamp. Third, a second indicia is provided which is not visible under normal viewing conditions and confirms that the limited edition stamp is a valid edition stamp. Fourth, the second indicia is not capable of being scanned for production. The Gasper et al. totally fails to teach or suggest the four features as taught and claimed by Applicant.

The Examiner has cited in re Gulack in that the Examiner appears to state that there is no obvious structural relationship between the printed matter and the substrate. In this Applicant respectfully submit that the Examiner is incorrect for a number of reasons. First, the first indicia provides a visual indication that the stamp is indeed a limited edition stamp. Secondly, the second indicia is not visible under normal viewing conditions and thus has a specific functional structural relationship with regard to the substrate. Thirdly, as previously discussed, the second indicia is also not capable of being scanned for reproduction. Thus, there is numerous functional relationships between the first and second indicia with that of the substrate. Thus, the present invention is indeed patentable.

The Examiner argues that claims 19-22 and 30-33 would have been obvious to one of ordinary skill in the art. These claims depend, at least ultimately, upon independent claims 1 and 17 which should have been shown to be patentably distinct over the prior art. Thus, these claims are patentably distinct for the reasons previously discussed.

In summary, Applicant respectfully submits that the claims in their present form are in condition for allowance such action is respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "Version With Markings To Show Changes Made".

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

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Version With Markings To Show Changes Made

In the Claims:

Claims 14 and 25 have been amended as set forth below:

14. (Once Amended) A limited edition stamp according to claim [13] 12 wherein said first indicia is visible.

25.(Once Amended) A sheet of limited edition stamps according to claim[24] 23 wherein said first indicia is visible.

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